

**In the United States Court of Federal Claims  
OFFICE OF SPECIAL MASTERS  
Filed: July 18, 2014**

Ronald Craig Homer, Conway, Homer & Chin-Caplan, P.C., for petitioner.  
Lisa Ann Watts, U.S. Department of Justice, Washington, D.C., for respondent.

## **ATTORNEYS' FEES AND COSTS DECISION<sup>1</sup>**

On October 14, 2011, petitioner, Susan Habchy, filed a petition seeking compensation under the National Vaccine Injury Compensation Program (“the Vaccine Program”). Petitioner alleged that she suffered rheumatoid arthritis that was caused-in-fact by the influenza vaccination. On March 5, 2014, a decision was entered awarding compensation to petitioner based on the parties’ stipulation.

On July 18, 2014, the parties filed a Stipulation of Fact Concerning Attorneys' Fees and Costs. According to the stipulation, the parties stipulate to a total award to petitioner of attorneys' fees and costs in the amount of \$41,000.00. In accordance with General Order #9, petitioner's counsel represents that of the \$41,000.00 requested, petitioner advanced \$201.17, in reimbursable costs in pursuit of her claim.

<sup>1</sup> Because this decision contains a reasoned explanation for the undersigned’s action in this case, the undersigned intends to post this decision on the website of the United States Court of Federal Claims, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction “of any information furnished by that party: (1) that is a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy.” Vaccine Rule 18(b). Otherwise, the entire decision will be available to the public. *Id.*

The Vaccine Act permits an award of reasonable attorneys' fees and costs. 42 U.S.C. § 300 aa-15(e). Based on the reasonableness of the parties' stipulation, the undersigned **GRANTS** the request for approval and payment of attorneys' fees and costs.

Accordingly, an award should be made as follows:

- (1) in the form of a check jointly payable to petitioner and to Mr. Ronald C. Homer of the law firm of Conway, Homer & Chin-Caplan, P.C., in the amount of **\$40,798.83**,
- (2) in the form of a check payable to petitioner only in the amount of **\$201.17**.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in accordance with the terms of the parties' stipulation.<sup>2</sup>

**IT IS SO ORDERED.**

s/Nora Beth Dorsey  
Nora Beth Dorsey  
Special Master

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<sup>2</sup> Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties' joint filing of notice renouncing the right to seek review.